REMARKS:

In what follows, the following information is presented:

1. remarks about the objections raised by the Examiner and explanations about the amendments performed to the specification and to the claims.
2. an explanation of the actual amendments performed, explained claim by claim.

Remarks according to Objection 2

(This objection indicated that claim 57 contains two separate subheadings labeled part "d)")

The new wording in Claim 57 provides correction as required in this objection.

Remarks according to Objection 3

(This objection rejected several claims because they contained indefinite words)

Remarks about Objection 3 regarding Claims 1, 23, 57 and 58

(This claims were rejected as containing the phrase "there might exist")

Claims 1, 23, 57 and 58 have been amended in a way that the phrase "there might exist" is not present now.

Remarks about Objection 3 regarding Claims 14, 18, 36, 40, 48, 53

(These claims were rejected as containing the phrase "for example")

Claims 14, 18, 36, 40, 48 and 53 have been amended to eliminate the phrase "for example".

Remarks about Objection 3 regarding Claims 18 and 40

(These claims were rejected as lacking sufficient antecedent basis for the phrases "the escalator tree," "the tower tree," and "the phrase tree,")

Claims 18 and 40 have been amended to eliminate the terms "the escalator tree," "the tower tree," and "the phrase tree,")

However, the Applicant respectfully remarks that the term "escalator tree" was defined in page 7, lines 13-33, including Exhibit 2.

Remarks about Objection 3 regarding Claims 10, 17, 20, 32, 39, 49, 50, 51, 52, 54, 55, and 56

(These claims were rejected for inheriting deficiencies in their respective parent claims)

The Applicant considers that these Claims are now allowable, given that the parent claims have been corrected.

Remarks according to Objection 4

(This objection rejected several claims as directed to non-statutory subject matter)

Remarks about Objection 4 regarding Claim 23

(Independent claim 23 was rejected as not reciting a specific machine or apparatus that would create a sufficient tie to another statutory class. The basis for this objection is 35 U.S.C. 101. The objection is that a claimed process must be (1) tied to a particular machine or apparatus, or (2) transform a particular article into a different state or thing.)

Claim 23 has been amended to clarify that the method claimed is executed upon electronic systems. The Specification has also been amended (in page 9) to clarify the types of electronic systems (computerized and non computerized) that might be used for different embodiments.

Remarks about Objection 4 regarding Claims 32, 36, 39, 40, 54, 55 and 56

(These claims were rejected for inheriting the deficiency of their parent claim)

The Applicant considers that Claim 23 should be allowed, and hence these claims should become allowed too.

Remarks about Objection 4 regarding Claim 1

(Independent Claim 1 is rejected because in light of the specification, it can be interpreted as claiming printed matter.)

The Specification has been amended in order to eliminate embodiments that utilize paper media. That is, in the embodiments claimed utilize electronic systems (computerized systems being a subclass of electronic systems) for presenting the blind extracts.

The Specification has also been amended (in page 9) to clarify the types of systems that might be used for different embodiments.

Remarks about Objection 4 regarding Claims 10, 14, 17, 18, 20 and 48-52

(These claims are rejected as inheriting the deficiency of their parent independent Claim 1.)

The Applicant considers that Claim 1 should be allowed, and hence that the previous claims should be allowed too.

Remarks according to Objection 6

(This objection rejected claims 1, 10, 23, 32, 48, 50, 51, 53, 55 and 56 as being anticipated by Cox (US Patent No. 5,336,093)

Remarks about Objection 6 regarding Claim 1 and 23

(The basis for this objection is that the Cox patent discloses a feature in which different dots are placed on top of the text, thus marking the syllables of the words in the text (column 3, lines 31-34))

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Applicant considers that the Cox patent should not be the basis for rejecting the current patent application. The main reasoning is that the Cox invention simultaneously shows both the text and the dots that are aligned with the text and mark the vowel sounds.

As is explained in the Cox patent in column 3, lines 31-34, and in Figure 1, the Cox patent uses dots to indicate where the vowel sounds lay in each syllable but it also shows the text words. In particular, in col 3 lines 31-34 it says "Each multi-syllabic word has, in addition to the extra spaces, one or more dots printed above it".

Therefore, the main difference with the current patent application Cox shows the full graphical text (i.e. letters) in the words and sentences that they use, while the basis of the present patent application is precisely to replace the letter with non text items (non letter symbols). The goal of the present invention is to prevent the association between letter and sound, and that is the reason why letters are replace by symbols. The presence of the symbol in a computerized system allows the user to select and play words without having to see the letters that are associated to it.

However, in the current invention, the text is <u>not to be shown</u>, i.e. the user will work by looking at the blind extract, without looking at the text. That is the essence of the invention: the user can access information about the language sample by interacting with the blind extract, without having to see the text (the letters).

The applicant acknowledges that the independent claim do not explicitely state the fact that the text of the original extract is not to be shown and that the user will solely work with blind extracts.

However, there exist numerous comments in the Specification that would suggest that the claims should be interpreted in that way. Some of these comments are the following ones:

- **Page 6, line 3** "As a result of the previous analysis, the invention believes that the main problem of the learners of pronunciation is the interference that exists between visual form and phonological form"

- **Page 6, lines 7-12** "The invention uses graphical entities that replace the written form of the target language. These graphical entities might be, for example, a line, or a sequence of characters, of a waveform, or other type of entity that has some linear characteristic. The invention creates a correspondence between the fragments of such graphical entities and the language fragments on which the learner is working, so that it allows the learner to indirectly access the content of the samples of target language that he is examining"

- **Page 6, line 21** "For each original extract, the invention will use one of the graphical entities that were previously mentioned, which will be called BLIND EXTRACTS."

- **Page 6, lines 25-27** "The blind extract is used to allow the learner to access to the different linguistic components of the original extracts, such as sounds, syllables, words, phrases and so on"

- **Page 8, line 6** "As can be seen, the blind extract can be used to distinguish the different words that exist in the aural production that is being listened to, and work on them, for example with the purpose of clarifying its meaning, without letting the learning of sounds be conditioned by the characters of written text."

- **Page 8, line 23** "As was mentioned before, the invention basically allows to discriminate words and identify the structure of the sentences without suffering the negative effects of prematurely working with written texts

- **Page 15, line 31** "The computerized system of the preferred embodiment allows the user to select certain components of the original extracts by working on the blind extract, in order to get information about those components.

- **Page 16, line 15-17** "In order to perform the selection of a fragment, the user first selects one or more characters of the blind extract, and the system identifies the parts of the original extract that correspond to those characters."

Page 17, line 29-32 "The invention can be used in all kinds of exercises and activities in which there is a fragment of aural language that contains certain information for the learner. In this case, the invention would allow the learner to listen to the information and review parts of it without having to look at the written form, with the result training in listening skills"

Claim 1 "means to show one or more BLIND EXTRACTS"

These paragraphs clearly show that the essence of the invention is to provide non text objects to the user, so that the he/her will be able to manage language samples without having to see the written text that defines those samples. It must be remember that, as explained in the specification, seeing the written text produces interference between letters and sounds, and that prevents the learner from learning the phonetics well.

However, the Applicant also acknowledges that rather than leaving the claims in the current state, i.e. up to interpretation, it is preferably to more clearly define them.

Therefore, Claim 1 will be amended by adding the following paragraph:

"and wherein for one or more of said blind extracts which are shown, said system does not show the text that is associated to said language sample, so that there is no interference between text and sound,"

This paragraphs clearly indicate that in this invention, at least a blind extract will be shown without the original text. Given that a blind extract might contain only one fragment, it is possible that only one fragment will be shown without its original text.

This modification will be applied to Claims 1 and 23, given that they all share the same objection (Claim 23. is the same as Claim 1 but in method form)

Given that these amendments apply to the independent claims, they also apply to those claims dependent on them. However, in what follows additional remarks are provided in relation to other objections to those dependent claims.

The wording of both Claims will also be amended to increase its clarity. These other amendments, not being related to this objection, will be explained later in this document.

Remarks about Objection 6 regarding Claims 10 and 32
(The basis for this objection is that the Cox patent discloses a feature by which the aforementioned dots are separated a longer distance when they are associated to different words, because the words themselves are separated a longer distance. (column 2, 61-68))

The Applicant respectfully remarks that the segments mentioned in Claims 10 and 32 in this patent application are not related to the separation between words in the Cox patent. "Segments" refer to units that are smaller than the syllable, and therefore are not related the separation between words.

As described in the Specification, in page 19, lines 21-24, segments are the entities that make up the syllables. For example, the word "telephone" contains three syllables "te-le-phone", and each of those syllables contain several segments. For example the syllable "te" contains two segments "t" and "e".

Page 17 of the Specification, lines 10-11, shows the different language constituents that are considered in this patent application: segments, syllables, words and phrases. Syllables are made up of segments, words are made up of syllables, and phrases are made up of words.

In many circumstances, the segments are phonemes, but given that the definition of phoneme sometimes is controversial, in this patent application the word "segment" is used to refer to those units which are smaller than the syllable and that make up syllables.

In summary, the Cox patent reaches the syllable level, but it does not go pass it. The invention disclosed in the current patent application goes beyond the syllable level, allowing the user to interact with language units which are lower than the syllable.

Therefore, the Applicant respectfully requests that this objection be eliminated.

However, the Applicant acknowledges that the specification should have provided more information about the nature of segments, and therefore it is amended accordingly.

(The Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should also be allowed.)

Remarks about Objection 6 regarding Claims 18 and 40

(This objection is similar in nature as the objection regarding Claims 10 and 32, (column 2 lines 61-68), and it is based on the fact that the Cox patent uses a larger distance between dots to separate the dots that belong to different words. The objection to Claims 10 and 32 referred to the language units called "segments", and the objection to Claims 18 and 40 refers to the to the language units called "phrases")

As in the previous case, the Applicant respectfully remarks that "phrases" are not related to the separation between word and word, i.e. while some consecutive words might belong to different phrases, there are many words that belong to the same phrase. Furthermore, phrases have a hierarchical organization, while words, as described in the Cox patent, do not.

Phrases are the constituents that make up the sentences. Phrases are organized hierarchically, i.e. smaller phrases combine to make up larger phrases. For example, in Exhibit 2, in page 7, some phrases are shown for the sentence "The man who came after the match finished is my father", which is explained in more detail in Patent application [Palacios 2003]. A phrase in this sentence is "after the match finished", another phrase of higher level is "who came after the match finished". It can be seen that the one word might belong to different phrases.

Objection 6 points to Figure 1 in the Cox patent to indicate that the Cox patent introduces different lengths in the spaces between dots to show the phrase structure of the sentence. However, after the previous discussion, it should be clear that those spaces do not show phrases, but only emphasize the transition between words.

However, the Applicant acknowledges that the specification could have provided more information about the nature of phrases, and therefore it is amended accordingly (in Page 7).

Therefore, the Applicant respectfully requests that this objection be eliminated.

The Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should be allowed.

Remarks about Objection 6 regarding Claims 48 and 53

(This objection refers to column 3, lines 47-48 in the Cox patent, where it discloses the feature of playing back an audio tape to provide the correct pronunciation of a word.)

In this respect, this feature as stated in Claims 48 and 53 is in fact present in the Cox patent. The novelty of Claims 48 and 53 originates in the fact that, in the current patent application, the letters of the texts are replaced by non textual graphical symbols.

As before, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should be allowed.

Remarks about Objection 6 regarding Claims 50 and 55

(This objection refers to column 3, lines 31-34 in the Cox patent, where it discloses the feature of placing small spaces between the syllables of each word.)

The main difference with the current patent application is that, as explained in the discussion about Claims 1 and 23, the current patent application does not show the text form of the language samples, but it shows non textual graphical symbols.

As before, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should be allowed.

Remarks about Objection 6 regarding Claims 51 and 56

(This objection refers to Fig 1 in the Cox patent, where it discloses the feature of showing the separations between words.)

As with the previous cases, the novelty of these claims comes in connection with the novelty of the independent Claims, 1 and 23.

As before, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should be allowed.

Remarks according to Objection 9 (regarding Claims 49 and 54)

The basis for this objection is that creating a biunivocal correspondence between the fragments of the blind extract and the fragments of the original extract would have been obvious to one skilled in the art.

The Applicant accepts this objection within the current interpretation of the application. However, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should be allowed.

Remarks according to Objection 10

Remarks about Objection 10 regarding Claims 14 and 36

(The basis for this objection is that graphically emphasizing fragments is unpatentable over Cox in view of Siegel (US Patent No. 5,799,267)).

The Applicant accepts this objection within the current interpretation of the application. However, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should be allowed.

Remarks about Objection 10 regarding Claims 17 and 39

The basis for this objection is that graphically emphasizing fragments is unpatentable over Cox in view of Siegel.

The Applicant accepts this objection within the current interpretation of the application. However, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, these claims should be allowed.

Remarks about Objection 10 regarding Claims 52

The basis for this objection is that graphically emphasizing linguistically relevant fragments is unpatentable over Cox in view of the Siegel.

The Applicant accepts this objection within a given interpretation of the application. However, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, this claim should be allowed.

Remarks about Objection 10 regarding Claims 20

The basis for this objection is that selecting and playing back fragments is unpatentable over Cox in view of the Siegel.

The Applicant accepts this objection within the current interpretation of the application. However, the Applicant respectfully remarks that with a more specific interpretation of the independent claims in light of the Specification, which is underscored with the amendments performed on them, this claim should be allowed.

Remarks about Objection 10 regarding Claims 57 and 58

The basis for this objection is similar as the basis for objection 6 to Claims 1 and 23. The Applicant requests that the discussion that has been performed in this document upon that objection be also applied to Claims 57 and 58.

In consequence, the amendments applied to Claims 1 and 23 will be applied also to Claims 57 and 58. The new wording should clearly show the non obvious nature of these claims.

Actual amendments performed

Amendments to the Specification

The amendment in **page 7** merely defines the term "phrase structure" in linguistics, in order to understand the previous reference to "structure" in the patent application. That previous "structure" term could only be interpreted as "phrase structure", given the content of Exhibit 2 and the content of [Palacios 2003]

The amendment in **page 19, line 12-14**, shows that the audio system used in conjunction with a paper based object is an electronic audio system.

The amendment in **page 19, line 21-24**, merely inserts this paragraph in the Specification

"That is to say, segments are sounds that last less time than a syllable. Segments can be equated with phonems, even though there are several situations in which there is no general consensus about their relationship. In general, when speech is put in written form, each segment can be represented by a graphical objects."

The inserted paragraph merely defines the linguistic concept "segment".

Amendment to Claim 1

(This is the main amendment performed to the claims. It is basically the same as the amendment performed in Claims 23, 57 and 58. It will be explained in detail here, and the description of the amendments to Claims 23, 57 and 58 will be referred to this explanation.)

This paragraph is reworded so that the sentence points to blind extracts in singular, which makes it easier to understand:

— [said blind extracts are graphical entities] <u>a blind extract is a graphical entity</u> whose fragments have certain correspondence with fragments of an original extract, <u>said original extract being associated to said blind extract</u>, [to which they are associated],

The phrase "there might exist" is deleted, as explained in the following paragraphs.

The following long paragraph is replaced by two smaller paragraphs:

— ~~[in the most general case, said certain correspondence can be such that there might exist fragments in some original extract that do not correspond to any fragment of the blind extract to which it is associated, and there might exist fragments in some blind extract that do not correspond to any fragment of the original extract to which it is associated,].~~

The following one is the first replacement paragraph. It is in some way obvious, but helps to structure the claim.

— *a blind extract might contain one or more fragments,*

The following one is the second replacement paragraph. The basis for this replacement is discussed in the section "Remarks according to Objection 6", and it is something that is discussed throughout the whole patent application. The learner must not see the letters of the language sample with which he/her is working, so that interference between pronunciation and graphical form is not created. This is achieved when the learner works with graphical objects that are not similar to the letters of the native language, and in the optimal case not similar to any language letter.

— *the fragments of a blind extract are created by replacing the letters of said fragments of said original extract by graphical objects that are different from the letters of said target language,*

The following paragraph is eliminated, given that this feature is more readily discussed in some dependent claims:

   ~~b) means to aurally reproduce some fragment of some original extract,~~

The following paragraph is inserted. Its basis is explained in the section "Remarks according to Objection 6" and it is also discussed in the previous paragraphs:

   and wherein for one or more of said blind extracts which are shown, said system does not show the text that is associated to said language sample, so that there is no interference between text and sound,

The following paragraph is replaced by a more clearly worded version:

   [and wherein ~~said system can be used in isolation or as a complement in an approach orientated to facilitate language learning, to present samples of a foreign language or to correct a problem in the utilization of the native language.~~]

And this is the replacement paragraph

and wherein said system can be used in isolation or as a complement to other language orientated system, for facilitating foreign language learning or for correcting a problem in the utilization of the native language.

Amendment to Claim 14

The explanatory part of the claim that contains the phrase "for example" has been deleted.

Amendment to Claim 18

The explanatory part of the claim that contains the phrase "for example" has been deleted.

The terms "escalator tree" "tower tree", and "phrase tree", have been removed from the claim.

Amendment to Claim 23

(The same amendments as in Claim 1 have been performed.)

Also, the Claim has been amended to specify that the method is executed upon electronic systems.

Amendment to Claim 36

The explanatory part of the claim that contains the phrase "for example" has been deleted.

Amendment to Claim 40

(The same amendments as in Claim 18 have been performed.)

Amendment to Claim 48

The explanatory part of the claim that contains the phrase "for example" has been deleted.
The phrase "might be" has been deleted.
The wording of the claim has been modified to make the claim more definite.

Amendment to Claim 53

(These amendments are the same as in Claim 48)

Amendment to Claim 57

The second paragraph that was introduced by "d)" is no introduced by "e)"

(Besides the previous amendment, the same amendments as in Claim 1 have been performed.)

Amendment to Claim 58

(The same amendments as in Claim 1 have been performed.)

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CONCLUSION

For all the above reasons, Applicant submit that the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore he submits that this application is now in condition for allowance, which action he respectfully solicits.

Conditional Request for Constructive Assistance

Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious.

If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully request the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. §2173.02 and §707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.
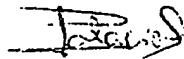
Very respectfully

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Certificate of Facsimile Transmission: I certify that on the date below I will fax this paper to GAU 3715 of the U.S. Patent and Trademark Office at 571-273-8300.

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